

## **REMARKS**

In the November 3, 2004 Office Action, the Examiner rejected claims 1-16 as anticipated over Myr (U.S. Patent No. 6,480,783).

The present invention is directed toward an on-board vehicle navigation planning system which incorporates a user's desired interval point arrival times and planned times when the user plans to stay at certain interval points via desired departure times with received dynamic travel information. The system allows a user to enter different interval points such as travel destinations, the times that the user plans to remain at each interval point and the times at which the user desires to reach those interval points. Based on this information and information received from a broadcast source regarding traffic conditions such as a radio data transmitter, a navigational computer subsystem and a travel planning subsystem plans a route in order to reach the interval points at the requested times and allow for the user to remain at the interval points for the requested time. Different routes are suggested if the traffic information received indicates the destinations will not be reached by the requested times. Further, if no route may be found which will result in reaching the interval point at the requested time, the system will suggest an alternate interval point which meets the same criteria. For example, if a user requests a destination of a restaurant, a different restaurant will be provided by the system if traffic conditions do not permit reaching the first restaurant by the requested time. The system also allows a user to amend or reject the suggested route while the vehicle is proceeding along the suggested route.

In contrast, Myr discloses a navigation system which merely directs a user along a single route taken from points selected from a central database. The Myr system is only designed with

one destination in mind and while it may suggest alternate routes, it will not take into account further destinations. Thus, Myr does not require the times a user may want to arrive and more importantly depart from a destination nor the amount of time a user may wish to stay at the destination. Finally, Myr does not suggest alternate equivalent destinations within the user requested time schedule, if the initial destination is unavailable due to time constraints.

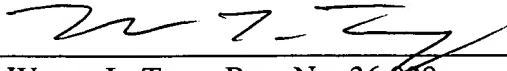
In order to further distinguish the present invention, Applicant has amended claims 1 and 9 to require that the input for the timing information include a desired departure time from the destination. Myr does not anticipate nor suggest such a limitation as Myr is directed toward a single destination and thus does not disclose a departure time. Claims 2-4 and 7-8 are depend from claim 1 and claims 10-16 depend from claim 9 and are similarly allowable.

In order to further distinguish Myr, Applicant is also submitting new claim 17. New claim 17 requires that an alternate interval point is suggested to a user should the initial interval point not be reachable within the desired arrival time. Claim 17 is allowable over Myr because Myr does not disclose nor suggest the output of an alternate destination if the desired destination cannot be reached within the desired time.

For the foregoing reasons, Applicant respectfully submits that the pending claims (1-17) are in condition for allowance and that the Examiner issue a notice of allowance in the above-identified application. The Office is authorized to charge all fees, if any, associated with this Amendment to Deposit Account No. 13-0019.

Respectfully submitted,

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